


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PAUL NEWELL	:	CIVIL ACTION
v.	:	
	:	No. 16-4779
	:	
MIKE HERNANDEZ, <i>et al.</i>	:	

**ORDER**

AND NOW, this 24<sup>th</sup> day of February 2017, upon consideration of Defendant Hernandez's Motion to dismiss (ECF Doc. No. 8), Defendant Shaffer's Motion to Dismiss (ECF Doc. No. 11), for reasons in the accompanying Memorandum and finding it appropriate to exercise our authority under 28 U.S.C. § 1915(e)(2)(B)(ii) to dismiss *sua sponte* Plaintiff's claims because Mr. Newell fails to state a claim on which relief may be granted, it is **ORDERED** Defendants' Motions (ECF Doc. Nos. 8, 11) are **GRANTED**:

1. *Pro se* Plaintiff's § 1983 and state law claims for false arrest and false imprisonment as to all Defendants are **DISMISSED with prejudice**;
2. *Pro se* Plaintiff's § 1983 and state law claims for malicious prosecution as to all Defendants are **DISMISSED without prejudice** to his right to reinstitute an action if he is able to demonstrate favorable termination at some point in the future; and,
3. The Clerk of Court shall **close** this case.

  
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KEARNEY, J.